

July 9, 2024

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, JULY 9, 2024, BEGINNING AT 5:30 P.M. IN PERSON IN THE COUNTY ADMINISTRATION BUILDING MEETING ROOM

Present were: Marie Durrer, Chair
Davis Lamb, Vice Chair
Steve Catalano, Member
Tim Goolsby, Member
Francis McGuigan, Member

Staff present: Cathy Schafrik, County Administrator
Jim Frydl, Director of Planning & Zoning
Kelley Kemp, County Attorney
Terry Beigie, Grant Writer
Stephanie Golon, Deputy Director of Planning
Melissa Meador, Director of Emergency Services
Dan Chipman, Director of Finance
Jennifer Lewis-Fowler, Director of Elections

RE: CALL TO ORDER

The Chair called the meeting to order at 5:30 p.m.

RE: CLOSED MEETING

Ms. Kemp read the proposed resolution for Closed Meeting.

WHEREAS, the Board of Supervisors of Greene County desires to discuss in Closed Meeting the following matter(s):

- Discussion, consideration, or interviews of prospective candidates for employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body concerning the County Administrator and the Agricultural and Forestry Advisory Committee.
- Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

WHEREAS, pursuant to: §2.2-3711(A)(1) and (A)(6) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Greene County does hereby authorize discussion of the aforestated matters in Closed Meeting.

Upon motion by Tim Goolsby, second by Davis Lamb and unanimous roll call vote, the Board entered into Closed Meeting.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: OPEN MEETING

Upon motion by Steve Catalano, second by Davis Lamb and unanimous roll call vote, the Board returned to open meeting.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

By unanimous roll call vote, members certified that only public business matters lawfully exempted from the open meeting requirement and only such matters as identified by the motion to enter into closed meeting were discussed.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: APPOINTMENT OF FRED TURCK TO THE AGRICULTURAL & FORESTAL ADVISORY COMMITTEE

Upon motion by Davis Lamb, second by Steve Catalano and unanimous roll call vote, the Board appointed Fred Turck to the Agricultural & Forestal Advisory Committee until replaced..

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Chair opened the meeting with the Pledge of Allegiance followed by a moment of silence.

RE: ADOPTION OF AGENDA

Upon motion by Steve Catalano, second by Davis Lamb and unanimous roll call vote, the agenda was adopted.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: MATTERS FROM THE PUBLIC

Ms. Marta Keane, the CEO of JABA, brought the annual report to the Board of Supervisors and thanked the supervisors for their support of the Greene County Senior Center and programs.

Ms. Andrea Laffew was present to ask the Board of Supervisors to consider zoning ordinance modifications for communications to the public and property zoning.

Ms. Jennifer Lewis-Fowler, Director of Elections, asked the Board of Supervisors to defer action on the MOU with the Town of Stanardsville regarding costs for elections that was on the agenda under consent and requested supervisors speak with council members regarding it.

Ms. Lisa Smith was present to ask that people stop using Jennings Loop as a cut-through and ask the Board if there was anything it could do to prohibit it.

Mr. Kevin Kelley thanked all the volunteers for the hard work that went into the Red, White, Blue 'N Greene July 4th celebration.

Mr. Ken Copeland told the Board he had concerns regarding whether the Public Hearing that was scheduled for later in the meeting had been properly advertised. The Chair asked Ms. Kemp to respond, and she said since the meeting date was announced when it was deferred in May that it was properly noticed. Mr. McGuigan said he felt it was supposed to be advertised as well. Ms. Kemp said since they set it to a date certain it was properly advertised, and the applicant should be heard tonight, and a second public hearing could be advertised and held and the vote deferred until that date if it was acceptable.

Mr. Victor Rosenberg told the Board he believed that whatever vote was taken at the public hearing would be voided if the meeting was deemed to not have been properly advertised. Ms. Kemp said it was the Board's choice but did not feel the public meeting was the time for a legal debate. Mr. Catalano said he always understood the requirement to be if it was a date certain it was properly noticed but didn't want a technicality to render the Board's decision void. Ms. Durrer agreed.

RE: PUBLIC HEARING TO CONSIDER A REQUEST FROM CARL R. BEARD JR. REV TRUST FOR A SPECIAL USE PERMIT FOR A FARM WINERY WITH STRUCTURES LARGER THAN 4,000 SQUARE FEET LOCATED AT 12955 DYKE ROAD

Upon motion by Steve Catalano, second by Davis Lamb and roll call vote, the Board deferred the public hearing until a time after it had been advertised in the local newspaper.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: CONSENT AGENDA

Mr. Catalano asked to remove the MOU from the consent agenda.

Upon motion by Steve Catalano, second by Davis Lamb, and unanimous roll call vote, the Board approved the consent agenda without the MOU.

- a. Minutes of previous meeting
- b. Resolution to accept and appropriate \$45,000.00 for the Commonwealth's Attorney grant (Attachment "A")
- c. Resolution to accept and appropriate \$59,223.00 for the Byrne Justice grant (Attachment "B")
- d. Resolution to accept and appropriate \$69,387.00 for the Victim Witness grant (Attachment "C")
- e. Resolution to authorize County Attorney to enter into latest lawsuit settlement against Kroger for Opioid Abatement (Attachment "D")
- f. Resolution to designate Welsh Run Road as a Rural Rustic Road that qualifies for Pave in Place (Attachment "E")
- g. Resolution to accept and appropriate \$62,693.00 for the Sheriff's Office Cease Fire grant (Attachment "F")

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: MOU WITH THE TOWN OF STANARDSVILLE REGARDING ELECTIONS

Mr. Catalano said he thought someone would contact the Town regarding the issue. Ms. Schafrik said key staff members have been out long term and had not been done yet.

Mr. McGuigan asked if there should be a letter from the County to the Town Council and Mayor with regard to election costs and asking them to offset the costs to the required separate precinct.

Upon motion by Francis McGuigan, second by Davis Lamb, and unanimous roll call vote, the Board approved the County Administrator sending a letter to the Town Council and Mayor regarding offsetting the costs of the Town of Stanardsville election precinct.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: BOARD LIAISON REPORTS

Ms. Durrer told the Board that she attended the BZA meeting on June 26. She told the members that the BZA did recommend that the Board of Supervisors make a resolution to the Planning Commission to request changes to the ordinance. She said she would like to see that at an upcoming meeting.

RE: COUNTY ADMINISTRATOR'S UPDATE

Ms. Schafrik requested that the Board add a special meeting for July 12, 2024, for interviews for the director of the water and sewer department. She also told the Board that the County remains in a drought and mandatory water restrictions may become necessary. Ms. Schafrik told the Board that the Social Services building will be closed on July 12, 2024, due to a bee infestation. Due to a clean up at the Solid Waste Transfer Station, brush and concrete will not be accepted until August 1, 2024.

Upon motion by Davis Lamb, second by Steve Catalano, and unanimous roll call vote, the Board approved advertising for a special meeting for July 12, 2024, beginning at 9:50 a.m.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

Ms. Schafrik requested that the Board add a special meeting for July 12, 2024, for interviews for the director of the water and sewer department. She also told the Board that the County remains in a drought and mandatory water restrictions may become necessary. Ms. Schafrik told the Board that the Social Services building will be closed on July 12, 2024, due to a bee infestation. Due to a cleanup at the Solid Waste Transfer Station, brush and concrete will not be accepted until August 1, 2024.

RE: OTHER MATTERS FROM THE BOARD

Mr. McGuigan passed out to Board members a copy of an email between the Planning and Zoning Department and an applicant that states the department wanted the Board of Supervisors to review the conflict identified in the email about kitchens at farm wineries. He notes the code states restaurants are strictly prohibited. He asked for a resolution taking away the discretion of the decision from the zoning administrator and fulfilling the request to clarify the conflict. He said he was not changing anything in the ordinance.

Ms. Durrer asked Ms. Kemp her opinion. She suggested bringing it back to the staff to do some research regarding it. She said the building official may need to weigh in as well per state code. She said a vote needed to be taken to suspend the bylaws.

Upon motion by Steve Catalano, second by Francis McGuigan, and unanimous roll call vote, the Board approved suspending its bylaws.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

Upon motion by Francis McGuigan, second by Steve Catalano, and unanimous roll call vote, the Board approved a resolution that states that winery kitchens are only authorized to offer picnic food, finger food, soups, and appetizers; restaurants are strictly forbidden. Catering for groups and events is allowed, but individual dining is not..

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.

RE: ADJOURN

Upon motion by Davis Lamb, second by Steve Catalano and unanimous roll call vote, the Board meeting was adjourned.

Recorded vote:	Marie Durrer	-	Yes
	Davis Lamb	-	Yes
	Tim Goolsby	-	Yes
	Francis McGuigan	-	Yes
	Steve Catalano	-	Yes

Motion carried.



Marie Durrer, Chair
Greene County Board of Supervisors



Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE
FORTY-FIVE THOUSAND DOLLARS FOR THE
VIRGINIA DOMESTIC VIOLENCE VICTIM FUND GRANT**

WHEREAS, the County of Greene has been awarded a grant from the Department of Criminal Justice Services for a Virginia Domestic Violence Victim Fund; and

WHEREAS, the funds in the amount of forty-five thousand dollars (\$45,000.00) need to be accepted and appropriated to the correct line item in the 2024-2025 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that forty-five thousand dollars (\$45,000.00) be appropriated to the 2024-2025 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to all things necessary to give his resolution effect.

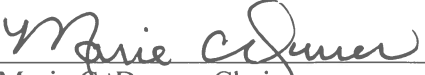
Adopted this 9th day of July, 2024.

Motion: Steve Catalano

Second: Davis Lamb

Recorded Vote:

Steve Catalano	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>
Francis McGuigan	<u>Yes</u>


Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION TO ACCEPT AND APPROPRIATE
FIFTY-NINE THOUSAND TWO HUNDRED TWENTY-THREE DOLLARS
FOR THE BYRNE/JUSTICE ASSISTANCE GRANT PROGRAM**

WHEREAS, the County of Greene has received funding for the Byrne Justice Assistance Grant to purchase equipment for the Sheriff's Office; and

WHEREAS, the funds in the amount of fifty-nine thousand two hundred twenty-three dollars (\$59,223.00) need to be accepted and appropriated to the correct line item in the 2024-2025 budget of the County of Greene, Virginia.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that fifty-nine thousand two hundred twenty-three dollars (\$59,223.00) be appropriated to the 2024-2025 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to all things necessary to give his resolution effect.

Adopted this 9th day of July, 2024.

Motion: Steve Catalano

Second: Davis Lamb

Recorded Vote:

Steve Catalano	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>
Francis McGuigan	<u>Yes</u>


Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Cathy Schafrik, Clerk
Greene County Board of Supervisors

RESOLUTION TO ACCEPT AND APPROPRIATE SIXTY-NINE THOUSAND THREE HUNDRED AND EIGHTY-SEVEN DOLLARS FOR VICTIM WITNESS GRANT AWARD

WHEREAS, the Greene County Sheriff's Office will be receiving funds in the amount of sixty-nine thousand three hundred eighty-seven dollars (\$69,387.00) which shall go toward victim/witness services for the County of Greene.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that sixty-nine thousand three hundred eighty-seven dollars be appropriated to the 2024-2025 budget of the County of Greene.

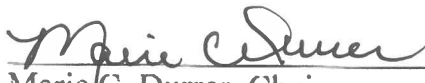
BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 9th day of July, 2024.

Motion: Steve Catalano
Second: Davis Lamb

Recorded Vote:

Marie C. Durrer	<u>Yes</u>
Steve Catalano	<u>Yes</u>
Francis McGuigan	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>


Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST: 
Cathy Schafrik, Clerk
Greene County Board of Supervisors

RESOLUTION

A RESOLUTION OF THE GREENE COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County Of Greene, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Greene's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Greene County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Greene County; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, opioid manufacturers Janssen Pharmaceuticals, Teva Pharmaceuticals, and Allergan, and retail pharmacy chains CVS, Walgreens, and Walmart;

WHEREAS, the County Attorney has reviewed the available information about the proposed settlement and has recommended that the County participate in the settlement in order to recover its share of the funds that the settlement would provide.

NOW THEREFORE BE IT RESOLVED that the Greene County Board of Supervisors, this 9th day of July, 2024, approves of the County's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlement, including the required release of claims against Kroger.

Motion: Steve Catalano
Second: Davis Lamb

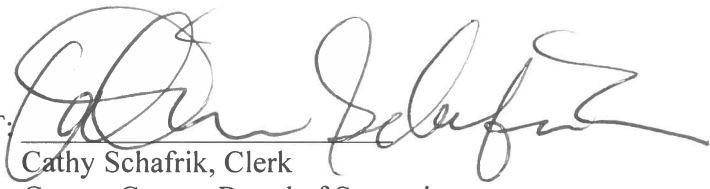
Recorded Vote:

Steve Catalano	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>
Francis McGuigan	<u>Yes</u>



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:



Cathy Schafrik, Clerk
Greene County Board of Supervisors

**RESOLUTION OF THE GREENE BOARD OF
SUPERVISORS REQUESTING THAT VDOT MAKE
IMPROVEMENTS TO WELSH RUN ROAD**

WHEREAS, Section 33.2-332 of the Code of Virginia permits the hard surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Greene County, Virginia ("Board") desires to consider whether Route 629 Welsh Run Road, extending East an additional 0.83 miles, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, a certified copy of this resolution be forwarded to the Virginia Department of Transportation Residency Administrator.

Adopted by the Greene County Board of Supervisors this 9th day of July, 2024.

Motion: Steve Catalano
Second: Davis Lamb

Recorded Vote

Steve Catalano	<u>Yes</u>
Marie C. Durrer	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>
Francis McGuigan	<u>Yes</u>



Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST: 

Cathy Schafrik, Clerk
Greene County Board of Supervisors

RESOLUTION TO ACCEPT AND APPROPRIATE SIXTY-TWO THOUSAND SIX HUNDRED AND NINETY-THREE DOLLARS FOR OPERATION CEASEFIRE GRANT PROGRAM AWARD

WHEREAS, the Greene County Sheriff's Office will be receiving funds in the amount of sixty-two thousand six hundred ninety-three dollars (\$62,693.00) which shall go toward equipment purchasing for the Greene County Sheriff's Office.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Greene, Virginia that sixty-two thousand six hundred ninety-three dollars be appropriated to the 2024-2025 budget of the County of Greene.

BE IT FURTHER RESOLVED that the County Administrator of the County of Greene, Virginia is authorized to make the appropriate accounting adjustments in the budget to do all things necessary to give this resolution effect.

Adopted this 9th day of July, 2024.

Motion: Steve Catalano
Second: Davis Lamb

Recorded Vote:

Marie C. Durrer	<u>Yes</u>
Steve Catalano	<u>Yes</u>
Francis McGuigan	<u>Yes</u>
Tim Goolsby	<u>Yes</u>
Davis Lamb	<u>Yes</u>


Marie C. Durrer, Chair
Greene County Board of Supervisors

ATTEST:


Cathy Schafrik, Clerk
Greene County Board of Supervisors